IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5004 OF 2004

Abdul Ahmed Abdul Habib Shaikh ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. S.P. Kadam, for the Applicant.

Mr. K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

30th November 2004

P.C.:

. Heard Counsel for the parties. The prosecution case is that the Applicant facilitated the offence by permitting storage of the stolen goods in his godown at Hyderabad. According to the Applicant, the Applicant is in the business of warehousing and in the process, permitted storage of certain goods without knowledge that the same are stolen goods. Be that as it may, it is common ground that charge sheet has been filed and the goods which were

stored with the Applicant have been seized by the police during investigation. The only apprehension expressed by the learned A.P.P. is that it will be difficult to secure presence of the Applicant as he has furnished two different addresses, one of Karnataka and other of Hyderabad. This apprehension can be taken care of by imposing strict conditions on the Applicant. Accordingly, this application is granted on the following terms and conditions, which are acceptable to the Applicant as is stated by him through his Counsel.

(a) The Applicant is enlarged on bail in connection with CR. No. 79/2004 registered with Walchandnagar Police Station on his executing personal bond in the sum of Rs. 1 lakh (Rupees one lakh only) with two local sureties in the like amount.

(b) The Applicant shall not tamper with the proseution evidence nor shall influence any prosecution witness in any manner whatsoever.

(c) The Applicant shall regularly report to the investigating officer once in month on first Saturday of every English calendar month between 10 a.m. to 1 p.m.

(d) The Applicant shall disclose his place of residence to the investigating officer and in addition shall report to the nearest police station once in fortnight on Saturday between 10 a.m. to 1 p.m. and report compliance of this condition to the investigating officer as well as the trial Court.

(e) In case the Applicant leaves the jurisdcition of the nearest police station, where he intends to reside during the period of trial, prior intimation be sent to the investigating officer as well as the trial Court in this behalf.

(f) The Applicant shall extend full co-operation for early disposal of the trial. If the trial Court is of the opinion that the Applicant is responsible

for creating obstruction in the early disposal of the trial, that fact be recorded in the roznama, which can be a ground for cancellation of bail.

. Application disposed of on the above terms.

(A.M.KHANWILKAR,J.)